

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 383 - HB 1126

April 14, 2021

SUMMARY OF ORIGINAL BILL: Revises the definition of ‘seclusion’ in relation to administrative procedures at juvenile detention facilities approved, certified, or licensed by the Department of Children’s Services (DCS).

Prohibits the DCS from using seclusion for discipline, punishment, administrative convenience, retaliation, staffing shortages, or any reason other than a temporary response to behavior that threatens immediate harm to a youth or others.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (004536, 007153): Amendment 004536 deletes and rewrites all language after the enacting clause without making any substantive changes to the legislation.

Amendment 007153 deletes and replaces language to the bill as amended by amendment 004536 to: (1) authorize a facility administrator, following a period of seclusion, to review the seclusion and authorize an additional two-hour period if appropriate, provided that the child is 14 years of age or older; (2) prohibit the administrator from authorizing more than two subsequent, consecutive periods of seclusion, or more than six total hours of seclusion within a 24-hour period; and (3) authorize DCS to provide, by rule or policy, alternative options for a child who cannot safely rejoin the rest of the resident population following the maximum period of seclusion.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- Based on information provided by the DCS, the proposed legislation will not alter existing Department policies or procedures; therefore, any fiscal impact to DCS is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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